IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 1241 OF 1987

Union Land & Building
Society Ltd. ... Plaintiff

Vs.

Suman Bala w/o Capt. Pramod
Hajela & Ors. ... Defendants.

None for plaintiff.

Mr. B. H. Vyas, Advocate for the Defendants.

CORAM : Dr. D. Y. CHANDRACHUD,J.

DATE : AUGUST 18, 2006.

P.C.

. On 7th July, 2006 a learned Single Judge of this Court directed that the suit shall proceed against first defendants, without their written statement, since no written statement has been filed for more than twenty years. However, considering the nature of suit, it was not appropriate to pass a decree under Order VIII, Rule 10 of Code of Civil Procedure without evidence. The plaintiff was directed to adduce evidence in support of its case and to file original documents and also affidavits of its witnesses in lieu of examination in chief on or before 13th July, 2006. Again on 7th July, 2006 the matter was allowed to stand over for three weeks. Today when the suit has been called out,

the plaintiff and its advocate are absent. The suit is accordingly dismissed for want of prosecution.

[Dr. D. Y. CHANDRACHUD, J.]